FEDERAL COMMUNICATIONS COMMISSION

STATEMENT OF

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An Update of FCC Public Alert and Warning Efforts

BEFORE THE
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
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PUBLIC BUILDINGS AND EMERGENCY MANAGEMENT
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Good Morning Chairman Denham, Ranking Member Norton and other Members of the House Subcommittee on Economic Development, Public Buildings and Emergency Management. Thank you for the opportunity to appear before you on behalf of the Federal Communications Commission (FCC) to discuss the FCC's recent work in alerting and warning the public and our partnership with the Federal Emergency Management Agency (FEMA) and other federal partners in this vitally important area.

Introduction

One of the FCC's primary statutory obligations is to promote the safety of life and property through the use of wire and radio communications, and the FCC has a singular commitment to the protection of the public through constantly evolving alert and warning systems. We recognize that this should be a team effort and I am pleased to be here with my friend and colleague Damon Penn of FEMA. The FCC works closely with FEMA, the National Weather Service and other federal partners to bring the future of alert and warning systems to consumers now.

A crucial element of that FCC obligation is the ability to alert the public in times of emergency. Through various initiatives, the FCC continues to take significant steps toward implementing one of its highest priorities – ensuring that all Americans can receive timely and accurate emergency alerts and warnings over each communications platform they use.

Today, I will discuss the FCC's efforts regarding the Personal Localized Alerting Network, or PLAN (also known as the Commercial Mobile Alert System, or CMAS) and the Emergency Alert System (EAS).

The Personal Localized Alerting Network (PLAN)

Wireless devices have become ubiquitous across our nation. We can all see the increasing role they play in our daily lives. In fact, this year for the first time, cell phone penetration in the United States has topped 100 percent, and smart phones are outselling PCs. Those are astonishing facts. The need to provide an effective means to reach the public quickly and efficiently during an emergency must include these devices. Congress recognized this in 2006, when it passed the Warning, Alert and Response Network (WARN) Act. The WARN Act provided for the creation of a warning system that commercial wireless carriers could elect to use to send emergency alerts to their subscribers. This legislation required the FCC to undertake a series of actions to accomplish that goal. The FCC has met all of its WARN Act deadlines, and in conjunction with FEMA and the wireless industry, has taken significant steps to develop PLAN.

Our actions have been informed by input from the former Commercial Mobile Service Alert Advisory Committee (CMSAAC), an advisory committee of 44 stakeholders, representing a range of interests including state, local and tribal governments, wireless providers, manufacturers, commercial and noncommercial broadcasters, the disability community, FEMA,

the National Weather Service and other organizations. This advisory committee presented the FCC with recommendations for the technical requirements that would become the PLAN.

On April 9, 2008, the FCC adopted the rules for PLAN. Under these rules, participating wireless carriers must begin PLAN deployment by April 7, 2012. In May of this year, Chairman Genachowski, FEMA Administrator Craig Fugate, New York City Mayor Michael Bloomberg and top executives of the four major nationwide wireless carriers – AT&T, Sprint, T-Mobile, and Verizon Wireless – announced that PLAN would be available in New York City by the end of this year, months ahead of schedule.

PLAN is a new technology and service that will allow mobile devices to receive emergency alerts, transmitting potentially life-saving Federal, state, tribal, and local messages when there are threats to public safety. It will serve as an important complement to other alert and warning systems like the EAS. The alerts will be geographically-targeted, ensuring that they reach the right people, at the right time, with the right messages. A PLAN alert will be accompanied by a unique attention signal and vibration, which will help people with hearing and vision-related disabilities recognize the alert, and there is no charge to consumers for receiving alerts.

PLAN creates a fast lane for emergency alerts, so vital information is guaranteed to get through even if there is congestion in the network. As we have learned from past large-scale emergencies, a spike in consumer calls and text messages during emergencies can overload communications networks. PLAN effectively addresses this problem by using technology, akin to that used for radio broadcast, which is separate and distinct from that used for voice calls and traditional text messages, allowing PLAN alerts to get through as long as the network is operating.

To allay concerns raised by some, I want to make clear that PLAN does not allow the alert originator or anyone administering the system to know who receives a particular alert. PLAN, therefore, cannot be used to monitor wireless devices or to track where someone is. Pursuant to the WARN Act, subscribers may opt out of receiving all but the national emergency alerts.

The FCC's partnership with FEMA has been vital to the rollout of PLAN and will help ensure a successful nationwide launch. As reflected in the diagram attached as Appendix A, the PLAN architecture consists of two major components – the Alert Aggregator/Gateway and the Carrier Gateway and Infrastructure. The Alert Aggregator/Gateway is administered by FEMA as part of its Integrated Public Alert and Warning System (IPAWS). This component will receive and authenticate alerts from Federal, state, tribal and local governments; verify the originator of the alert; and send the alert over a secure pathway to infrastructure administered by participating wireless carriers. The wireless carriers will receive alerts and push them out to any PLAN-capable mobile devices within the targeted geographic area for the alerts.

I want to note that, pursuant to the WARN Act, participation in PLAN by wireless carriers is completely voluntary, and we are pleased that over 100 commercial wireless carriers have elected to participate. This means that by next April, PLAN will begin deployment in cities

across the country and not only by the largest nationwide wireless carriers, but also by many small and regional carriers. Some wireless carriers will offer PLAN over all of their service areas, others over part of their service areas, and still others over all or only some of their wireless devices. Ultimately, we expect that market forces will encourage more wireless carriers to make PLAN available in most of the country. In the meantime, the FCC recommends that consumers ask their wireless providers whether and where they will offer PLAN alerts to PLAN-capable handsets. For more information, we encourage the public to visit our website at wwww.fcc.gov/pshs.

The Emergency Alert System

I also want to update you on our efforts to enhance the reliability of the Emergency Alert System (EAS). For over 50 years, since 1963, what we now call the EAS has provided emergency alerts to the public, including the ability of the President of the United States to deliver a message to the public in the event of a national emergency. FCC rules require broadcasters, satellite radio and television service providers, cable systems, and wireline video systems ("EAS Participants") to install and operate equipment capable of delivering emergency alerts to their viewers and listeners. The current EAS has been in existence since 1994 and is used successfully and extensively by state and local government authorities for weather-related and other emergency alerts. The FCC, FEMA and the National Weather Service are charged with maintaining the EAS.

From 1963, until November 9, 2011, there had never been a nationwide EAS test, so we did not know how well the system would work on a national scale. To remedy this, on November 9, 2011 at 2 p.m. Eastern Standard Time (EST), FEMA and the FCC conducted the first ever nationwide test of the EAS.

Prior to the test, the FCC and FEMA, along with EAS Participants, state and local governments, and other stakeholders, took significant steps to educate EAS Participants, state and local government agencies and consumers about the test. For example, the FCC released a step-by-step guide for EAS Participants to conduct the test, sent materials and briefed over 40 organizations representing state, tribal and local governments about the test and over 100 community and consumer organizations, including those that represent the deaf and hard of hearing, and people who do not speak English as a primary language.

Under FCC rules, EAS Participants have until December 27, 2011 to submit their test results to the FCC. Once we receive the data, we will, in coordination with FEMA analyze it to determine what worked and what did not, and make recommendations for improvements as necessary. In the meantime, we are working with FEMA and EAS Participants to learn more about problems that have already been identified and what actions we should take to address them.

In addition to reviewing nationwide EAS test data, we continue to move forward with implementation of significant technical improvements to the EAS. The first step toward modernizing the EAS will be taken next year with the introduction of alert transmissions using the Common Alerting Protocol (CAP). Once implemented, CAP-based alerting will allow for

migrating the current EAS to a Next Generation alerting system that will provide a host of features not possible using current technology, including ways to better serve the deaf and hard of hearing community and those whose primary language is not English.

Next Steps for Emergency Alerting

Looking to the future, the FCC will continue to explore whether other communications technologies can provide ways for Americans to receive alerts and warnings about imminent threats to safety of life. As recommended by the National Broadband Plan, the FCC will examine the role of broadband technologies, social networks and other Internet-based tools can play in emergency alerting.

We will continue to learn from experience at home and abroad. Earlier this year, Japan experienced a devastating earthquake and tsunami that resulted in significant loss of life and damage to property. Though these losses were severe, they may have been greater if not for Japan's earthquake detection and warning system, which relied on elements of broadband technologies to alert the public.

The FCC will continue to work closely with FEMA, the National Weather Service, industry and state and local governments to ensure that the public has access to emergency alerts and warnings over multiple communications technologies. Those efforts will of course include our continued work to ensure that the benefits of PLAN and EAS are available to consumers in all parts of the country and to ensure that the EAS continues to provide a reliable and effective method to transmit timely and accurate emergency alerts to the public.

Thank you for the opportunity to appear before you today. This concludes my testimony, and I am pleased to answer any questions you may have.

APPENDIX A

PLAN Architecture